## REMARKS

### I. INTRODUCTION

Claims 1 and 18 have been amended and claims 6 and 20 have been cancelled. Claims 1-5, 7 - 19 and 21 - 24 remain pending in the present application. No new matter has been added. In view of the above amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

### II. THE 35 U.S.C. § 102(b) REJECTIONS SHOULD BE WITHDRAWN

Claims 1-13 and 18-24 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 4,142,525 to Binard et al. (the "Binard patent"). (See 3/13/2006 Office Action, p. 2).

Claim 1 recites a connector for injecting fluid to a catheter, comprising "an attachment portion adapted to fluidly couple to a source of pressurized fluid" and "a bypass element fluidly connected to the attachment portion, the bypass element being adapted to open a valve of the catheter to permit fluid to flow into the catheter without impinging on the valve" in combination with "an overpressure control element adapted to maintain a pressure of fluid within the connector below a predetermined threshold level."

In contrast, the Binard patent describes a syringe assembly that comprises either a structure for bleeding pressure from the syringe (e.g., the check valve 67 in Fig. 9 or the balloon 40 in Fig. 1) before that pressure is applied to the body. That is, the syringe assembly of the Binard patent includes a structure proximal to a distal opening of the syringe which permits fluid to pass out of the syringe before reaching the distal opening only when the pressure exceeds a threshold level. The distal opening of the syringe of Binard is simply an opening at the sharp distal tip of a needle which is inserted, for example, into the sub-dural space for the injection of fluids thereto. This device does not connect to any catheter and is not designed or adapted for such a connection. Nor would such a connection be of any use to this device. In addition, it is respectfully submitted that the syringe assembly of the Binard patent includes no bypass element as claimed. That is, although the Examiner indicated that the passageway 38 corresponds to the recited bypass element, and is "adapted to open a pressure actuated safety valve (67)," it is respectfully submitted that the Binard device includes no structure which opens a valve in a

catheter so that fluid may flow through the catheter without impinging on the valve as recited in claim 1.

Accordingly, Applicants respectfully request that the Examiner withdraw his rejection of claim 1. Because claims 2 - 5 and 7 - 13 depend from and, therefore, include the limitations of claim 1, it is respectfully submitted that these claims are allowable for at least the reasons stated above.

Independent claim 18 includes limitations distinguishing over the Binard patent in a manner substantially similar to the reasons stated above in regard to claim 1. Specifically, claim 18 recites "*an elongated tube extending between a first end adapted for fluid connection to a power injector* and a second end adapted for fluid connection to a catheter including a valve in a proximal part thereof, *the second end being insertable into the catheter beyond the valve thereof so that fluid passes through the fluid coupler into the catheter to a distal end thereof without passing through the valve.*"

As stated above in regard to claim 1, the distal opening of the syringe of Binard is simply an opening at the sharp distal tip of a needle which is inserted, for example, into the sub-dural space for the injection of fluids thereto. This device does not connect to any catheter and is not designed or adapted for such a connection. Nor would such a connection be of any use to this device. In addition, it is respectfully submitted that the syringe assembly of the Binard patent includes no bypass element as claimed. That is, although the Examiner indicated that the passageway 38 corresponds to the recited bypass element, and is "adapted to open a pressure actuated safety valve (67)," it is respectfully submitted that the Binard device includes no structure which opens a valve in a catheter so that fluid may flow through the catheter without impinging on the valve as recited in claim 18.

Accordingly, Applicants respectfully request that the Examiner withdraw his rejection of claim 18. Because claims 19 and 21 - 24 depend from and, therefore, include the limitations of claim 18, it is respectfully submitted that these claims are allowable for at least the reasons stated above.

## III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 14 - 17 stand rejected under 35 U.S.C. § 103(a) as obvious over U.S. Pat. No. 4,142,525 to Binard et al. (the "Binard patent"). (See 3/13/2006 Office Action, p. 3-4). The Examiner stated, in support of the rejection, that Binard shows the invention substantially as claimed except for the threshold pressure being within the range of 300psi to 400 psi.

However, as stated above in regard to claim 1 from which these claims depend, the Binard device includes no structure which opens a valve in a catheter so that fluid may flow through the catheter without impinging on the valve as recited in claim 1. Thus it is respectfully submitted that claims 14 - 17 are allowable for at least the same reasons stated above in regard to claim 1. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 14 - 17.

## CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, and an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: 7/6/06

By: _____
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, NY 10038
Tel: (212) 619-6000
Fax: (212) 619-0276